Burns Doane Swecker & Mathra

Gentle SWISS Minlow Port Calif. Patent Attorney's Docket No. 032396-011

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of

Wright

Application No.: 08/886,3

Filed: June 30, 1997

For: Inhibiting Neoplastic Cells Utilizing

the Ribonucleotide Reductase UTR

Group Art Unit: 1801

Examiner: unassigned

CHICLOS AND PATENTS

PETITION TO RESCIND NOTICE OF ABANDONMENT

Assistant Commissioner for Patents Washington, D.C. 20231

Sir:

This is in response to the Notice of Abandonment mailed November 12, 1998, a copy of which is attached. The Notice states that the application is abandoned by Applicant's failure to timely respond to the Notice to File Missing Parts mailed on September 19, 1997.

This notice was mailed in error. Applicants submitted a Response to the United States Patent and Trademark Office on October 9, 1997. As evidence of the time filing of the Response, Applicants enclose a copy of the Transmittal Letter which bears a Certificate of First Class Mailing dated October 9, 1997. Also enclosed is a copy of the Declaration and Power of Attorney, and copies of four small entity statements for an assessments.

01 FC:201 02 FC:202 03 FC:203 04 FC:205

Application No. <u>08/886,313</u> Attorney's Docket No. <u>032396-011</u>

Independent Inventor, a Small Business Concern, a Small Entity Non-profit and another Small Entity Non-profit.

Applicants request that the Notice of Abandonment be rescinded and the application be allowed to proceed.

Please telephone the undersigned or Gerald F. Swiss (Reg. No. 30,113) at 650-854-7400 if there are any questions regarding this matter.

The Commissioner is hereby authorized to charge any appropriate fees, including any filing fees, under 37 C.F.R. §§ 1.16, 1.17 and 1.21 that may be required by this paper, to Deposit Account No. 02-4800. This paper is submitted in triplicate.

Respectfully submitted,

BURNS, DOANE, SWECKER & MATHIS, L.L.P.

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Date: December 29, 1998